

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DONALD L. GRAY,	)	
	)	
Plaintiff,	)	4:07CV3249
	)	
V.	)	
	)	
BNSF RAILWAY COMPANY, a	)	<b>ORDER</b>
Delaware Corporation, and	)	
BROWN'S CREW CAR OF	)	
WYOMING, INC.,	)	
	)	
Defendants.	)	
_____	)	

This matter is before the court upon Defendants' motion to strike and objection to exhibits ([filing 89](#)). Specifically, Defendants request that Plaintiff's supplemental index of evidence in support of Plaintiff's brief in opposition to Defendants' supplemental motion in limine ([filing 87](#)) and Plaintiff's supplement to Plaintiff's motion for leave of court to take a [Fed. R. Civ. P. 30\(b\)\(6\)](#) deposition ([filing 88](#)) be stricken. The court finds that Defendants' motion ([filing 89](#)) should be denied.

Accordingly,

IT IS ORDERED that Defendants' motion to strike and objection to exhibits ([filing 89](#)) is denied.

March 23, 2009.

BY THE COURT:  
*s/Richard G. Kopf*  
United States District Judge